

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of	)	
Graham O'Donnell et al.	)	Group Art Unit: 3692
Application No.: 09/691,175	)	Examiner: CLEMENT B GRAHAM
Filed: October 19, 2000	)	Appeal No.: _____
For: CREDIT CARD SYSTEM AND	)	
METHOD	)	
	)	
	)	

**APPEAL BRIEF**

**Mail Stop APPEAL BRIEF - PATENTS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This appeal is from the decision of the Primary Examiner dated April 3, 2008 finally rejecting claims 28-61, which are reproduced as the Claims Appendix of this brief.

- ☐ A check covering the ☐ \$ 270 ☐ \$ 540 Government fee is filed herewith.
- ☒ Charge ☐ \$ 270 ☒ \$ 540 to Credit Card. Form PTO-2038 is attached.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800.

**I. Real Party in Interest**

The present application is assigned to Orbis Patents Limited, which is a subsidiary of Orbiscom Limited, which in turn is a subsidiary of Mastercard, Inc.

**II. Related Appeals and Interferences**

Appellants' legal representative, assignee and related business entities do not know of any other appeal or interferences which will affect or be directly affected by or have bearing on the Board's decision in the pending appeal.

**III. Status of Claims**

The application contains claims 1-61. Claims 1-27 are cancelled. Claims 28-61 are pending and stand rejected. This appeal is directed to the rejection of claims 28-61.

**IV. Status of Amendments**

An Amendment was filed on September 3, 2008, in response to the final Office Action dated April 3, 2008. As indicated in item 7 of the Advisory Action dated October 16, 2008, the amendments presented in the September 3, 2008 Amendment were entered in response to the final Office Action dated April 3, 2008.

**V. Summary of Claimed Subject Matter**

Exemplary embodiments of the present invention provide a method for implementing a limited-use credit card system. The exemplary method is effective in preventing fraudulent and unauthorized use of a user's customer account number, such as a master credit card number, for example, through a limited-use credit card number that constitutes a different number than the customer account number and functions as an authorized substitute for the customer account number in a financial transaction. The limited-use credit card number is associated with the customer account number and with a set of conditions defined by the user. Examples of such user defined conditions can include activating the limited-use credit card number for a single transaction, conducting transactions totaling a specific monetary amount within a specified time period, a time period during which the limited-use credit card number can be used, types of goods, services or merchants for which the limited-use credit card number can be used, etc. Transactions using the limited-use credit card number are processed against the user defined set of conditions, and are processed against the user's customer account number. Transactions are authorized or not authorized based on a result of both processing operations.

Accordingly, the exemplary method is effective in preventing fraud against the customer account number, because the limited-use credit card number is utilized in the transaction, and therefore, the customer's account number is not exposed to theft. Moreover, since the user can define a set of conditions for the limited-use credit card number, the extent of any fraud can be further minimized.

The following table illustrates exemplary sections of the specification and drawings that provide support for the recited features of independent claim 28.

28. A method for implementing a limited-use credit card system, the method comprising:	
allocating in a computer system a limited-use credit card number constituting a different number than a customer account number of a user and	central processing station 102 and central processing unit 120 in Fig. 1; page 16, lines 23-26; page 18, lines 14-25; step 202 in Fig. 2; step 504 in Fig. 5

functioning as an authorized substitute for the customer account number;	
associating in the computer system the limited-use credit card number with the customer account number and a set of conditions defined by the user, wherein the customer account number is not limited to said user defined set of conditions;	central processing station 102, central processing unit 120 and conditions database 122 in Fig. 1; page 27, line 10 to page 28, line 24; steps 402-406 in Fig. 4; page 44, lines 3-12
issuing the limited-use credit card number;	page 17, line 14 to page 18, line 6; central processing station 102 in Fig. 1; card dispenser 128 and limited use cards 132 in Fig. 1; printer 130 and form 136 in Fig. 1; I/O unit 118, network 112 and electronic device 104 in Fig. 1; ATM machine 108 and limited use card 110 in Fig. 1;
detecting in the computer system a transaction using the limited-use credit card number;	page 19, lines 3-5; step 206 in Fig. 2; step 410 in Fig. 4; step 704 in Fig. 7; page 43, lines 7-10; step 810 in Fig. 8
processing in the computer system the transaction in accordance with the set of conditions associated with limited-use credit card number;	step 412 in Fig. 4; page 39, line 8 to page 40, line 23; step 710 in Fig. 7; step 804 in Fig. 8; page 43, line 7 to page 44, line 2;
processing in the computer system the transaction against the customer account number; and	step 714 in Fig. 7; page 43, line 17 to page 44; line 12; steps 816 and 818 in Fig. 8; page 45, lines 9-14
authorizing or not authorizing the transaction based on a result of said processing of both the limited-use credit card number and the customer account number in the computer system.	steps 718, 20 and 708 in Fig. 7; page 43, line 15 to page 44, line 12; steps 814, 816, 818 and 812 in Fig. 8

## **VI. Grounds of Rejection to be Reviewed on Appeal**

The final Office Action sets forth a single ground of rejection. For purposes of this appeal, the Board is being asked to review the following ground of rejection.

Claims 28-61 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,878,141 to Daly et al. (hereinafter "Daly") in view of U.S. Patent No. 6,885,857 to Hanson (hereinafter "Hanson").

## **VII. Argument**

### **A. Applied References Do Not Disclose All Recited Features of Claims**

To establish a *prima facie* case of obviousness, the applied references must disclose or suggest all the claim limitations. See MPEP 2142; 706.02(j). If the applied references fail to disclose or suggest one or more of the features of a claimed invention, then the rejection is improper and must be withdrawn.

Appellants respectfully submit that the applied references do not disclose or suggest all the recited features of the claimed invention for at least the following reasons.

#### **1. Claim 28**

Claim 28 recites a method for implementing a limited-use credit card system. The method of claim 28 comprises allocating in a computer system a limited-use credit card number constituting a different number than a customer account number of a user and functioning as an authorized substitute for the customer account number.

The method of claim 28 also comprises associating in the computer system the limited-use credit card number with the customer account number and a set of conditions defined by the user, wherein the customer account number is not limited to the user defined set of conditions.

The method of claim 28 also comprises issuing the limited-use credit card number, and detecting in the computer system a transaction using the limited-use

credit card number. In addition, the method of claim 28 comprises processing in the computer system the transaction in accordance with the set of conditions associated with limited-use credit card number, and processing in the computer system the transaction against the customer account number.

Furthermore, the method of claim 28 comprises authorizing or not authorizing the transaction based on a result of the processing of both the limited-use credit card number and the customer account number in the computer system.

The Examiner incorrectly asserts that Daly discloses the feature of a limited-use credit card number as recited in claim 28. The Examiner acknowledges that Daly fails to disclose the feature of a limited use credit card number constituting a different number than a customer account number of a user and functioning as an authorized substitute for the customer account number. In an attempt to teach this feature, the Examiner applied Hanson.

However, the application of Hanson does not cure the deficiencies of Daly for failing to disclose or suggest all the recited features of claim 28, because the Examiner's reliance on Daly for allegedly disclosing the feature of a limited-use credit card number, as recited in claim 28, is misplaced and not supportable.

Furthermore, the Examiner's assertion that Hanson cures the deficiencies of Daly is not supportable, because Daly does not disclose or suggest a limited-use credit card number constituting a different number than a customer account number of a user and functioning as an authorized substitute for the customer account number.

## **2. Disclosure of Daly**

With reference to Figure 1, Daly discloses a computerized purchasing system 10 that includes a transaction processing unit 12 connected to purchasing terminals 18-23 via a communication network 24. The transaction processing unit 12 includes a merchant database 14 and a purchaser database 16. The merchant database 14 stores a list of merchants offering goods and/or services for sale, and information about each merchant including a set of accepted payment methods that the respective merchant would accept for sale of his goods and/or services. The purchaser database 16 stores a list of purchasers, and information about each

purchaser including a set of personal payment methods (e.g., checking, credit cards, debit cards, Automated Clearing House (ACH) transfers) that the respective purchaser could use to purchase a merchant's goods and/or services (see Column 5, line 47 to Column 6, line 2, and Figure 1).

Daly discloses that each purchaser registers his or her personal payment methods with the transaction processing unit 12. As part of this registration, a purchaser is permitted to self-impose personal purchase allowances to prevent excessive expenditures (see Column 4, lines 39-48, and Column 6, lines 3-24). Daly discloses that such purchase allowances can be associated with different personal payment methods to selectively control expenditures for specific payment methods. For instance, Daly discloses that the purchaser may wish to restrict purchases using his credit card below one allowance level, while placing a different allowance level on purchases using his debit card. Alternatively, Daly discloses that the purchase allowances might be imposed on a purchaser basis, whereby each purchaser is given an allowance regardless of the chosen form of payment. In a family setting, Daly discloses that the purchaser could be defined as an entire family whereby every family member must abide by the same purchase allowance, or the system can be configured to support a different purchase allowance for each family member, where the parents have higher allowances than the children. To support individualized purchase allowances for each family member, Daly discloses that each family member (or purchaser) must be registered so that the system can uniquely identify each person (see Column 6, lines 3-24).

Daly also discloses that the purchaser database 16 stores account balances for each of the personal payment methods of each purchaser. These account balances are used by the transaction processing unit 12 to verify whether the purchaser has sufficient funds to purchase a desired product. Daly discloses that the transaction processing unit 12 also examines an associated spending limit for each personal payment method, in order to verify that a purchaser does not exceed the spending limit of a personal payment method that is imposed by the institution (e.g., bank) that administers the payment method (see Column 4, lines 39-59, and Column 6, lines 25-36).

Accordingly, Daly discloses that each payment method of a purchaser may be individually limited by (1) a self- or parent-imposed personal purchase allowance, (2) an account balance of the payment method, and (3) a spending limit imposed by the institution that administers the payment method.

To make a purchase using the computerized purchasing system 10 of Daly, a purchaser initiates a purchase request by using one of the purchasing terminals 18-23, and transmits the purchase request to the transaction processing unit 12. The purchase request includes the identity of the merchant, the identity of the purchaser, and a purchase amount. The transaction processing unit 12 then determines whether the purchase amount included in the purchase request exceeds a personal purchase allowance imposed by the purchaser identified in the purchase request. If the purchase amount exceeds the self- or parent-imposed personal purchase allowance, the transaction is prohibited (see Column 7, lines 1-14).

Alternatively, if the imposed personal purchase allowance is not exceeded, the transaction processing unit 12 accesses the merchant database 14 to retrieve the set of accepted payment methods of the merchant identified in the payment request, and accesses the purchaser database 16 to retrieve the set of personal payment methods of the purchaser identified in the payment request (see Column 7, lines 18-25). Then, a payment method filter 26 of the transaction processing unit 12 computes an intersection of these two sets to derive a common set 32 containing any available payment methods that are both accepted by the merchant and can be used by the purchaser to purchase the goods and/or services. Figure 2 of Daly shows that payment method 2 (cash) and payment method 5 (Visa® credit card) are acceptable payment methods for both the purchaser and merchant (see Column 7, lines 26-54). When deriving the common set 32 of acceptable payment methods, the payment method filter 26 merely determines mutually common payment methods that are acceptable for both the purchaser and merchant, and does not reveal confidential information to either the purchaser or the merchant, such as the associated account numbers of the purchaser (see Column 7, lines 43-46 and Column 8, lines 13-19).

Daly discloses that once the common set 32 of acceptable payment methods is computed, the purchaser or the merchant selects a preferred payment method

among the payment methods included in the common set 32 (see Column 7, line 65 to Column 8, line 9). The transaction processing unit 12 approves or denies the requested transaction based on whether the purchase amount identified in the purchase request exceeds either the account balance of the selected payment method or the bank-imposed spending limit of the selected payment method (see Column 8, lines 20-45).

Prior to finalizing an approved transaction that has satisfied the tests of the transaction processing unit 12, the purchaser is given the opportunity to confirm or cancel the approved transaction. If the purchase confirms the transaction, the transaction processing unit 12 attaches an unforgeable digital signature on behalf of the purchaser to authorize the purchase and to validate to the merchant that a transaction has been consummated. The digital signature is stored in the purchaser database 16, and assures the merchant that the purchaser is real, has sufficient money, will pay for the goods, and has legally signed for the goods (see Column 8, lines 46-61, and Column 13, lines 35-45).

Accordingly, Daly merely discloses a computerized purchasing system which finds a common set of acceptable payment methods for both a purchaser and a merchant, where each payment method of a purchaser may be limited by (1) a self- or parent-imposed personal purchase allowance, (2) an account balance of the payment method, and (3) a spending limit imposed by the institution that administers the payment method.

### **3. Erroneous Application of Daly to Reject Features of Claim 28**

The portions of Daly referenced by the Examiner in an attempt to arrive at the features of claim 28 were described above. The Examiner's misinterpretation and mischaracterization of the disclosure of Daly to the features of claim 28 are discussed below with respect to the individual features of claim 28 for which the Examiner incorrectly alleges as being disclosed in Daly.

As acknowledged by the Examiner, Daly does not disclose or suggest the feature of allocating in a computer system a limited-use credit card number constituting a different number than a customer account number of a user and

functioning as an authorized substitute for the customer account number, as recited in claim 28.

(a) Associating Operation

The Examiner asserted that the feature of associating in the computer system the limited-use credit card number with the customer account number and a set of conditions defined by the user, wherein the customer account number is not limited the user defined set of conditions, as recited in claim 28, is disclosed in Column 6, lines 3-23. This assertion is not supportable for the following reasons.

Column 6, lines 3-23 of Daly reiterates the disclosure contained in Column 4, lines 30-59. Column 4, lines 30-59 of Daly disclose that when the purchaser transmits a purchase request that identifies the merchant, the purchaser and the goods or services to be purchased, a processor of the transaction processing unit 12 accesses the merchant database 14 and purchaser database 16 to retrieve the payment methods authorized by both parties. Then, the processor computes an intersection of these two sets of payment methods to derive a mutually common set of payment methods that are accepted by both the purchaser and the merchant. After the processor presents the common set of payment methods to the purchaser, the purchaser then selects one of the common set of payment methods to conduct the transaction. The processor permits the transaction to proceed if the payment method selected by the purchaser has sufficient funds (see Column 4, lines 14-38).

Column 4, lines 39-59 of Daly disclose that the purchaser can self-impose purchase allowances that are stored in the purchaser database 16. If such purchase allowances are imposed by the purchaser, the processor of the transaction processing unit 12 compares the purchase amount included in a purchase request against the purchase allowances, and denies the transaction if the purchase amount exceeds the purchase allowance. In addition, this portion of Daly discloses that spending limits can be imposed on a payment method of the purchaser by a financial institution (e.g. bank) that administers the payment method. Daly discloses that after the purchaser selects a preferred payment method upon receiving the common set of payment methods that are accepted by both the merchant and the purchaser, the processor inquires the issuing bank to determine if the purchase amount exceeds

the spending limits imposed on the particular payment method selected by the purchaser, and denies the transaction if the purchase amount exceeds the imposed spending limits (see Column 4, lines 39-59).

Accordingly, the above-referenced portions of Daly merely disclose that the processor computes a mutually common set of payment methods for both the merchant and the purchaser, and that after the purchaser selects one of the payment methods from the common set of mutually accepted payment methods, the processor authorizes the transaction if the purchase amount does not exceed the available funds of the selected payment method, if the purchase amount does not exceed purchase allowances imposed by the purchaser on that payment method, and if the purchase amount does not exceed spending limits imposed on that payment method by the institution that administers the payment method.

Column 6, lines 3-36 of Daly discloses that that the purchaser can impose purchase allowances for each one of his or her payment methods registered in the purchaser database 16, that account balances are stored for each payment method in the purchaser database 16, and that spending limits can be imposed for each payment method of the purchaser by the institution (e.g., bank) that administers the payment method. In addition, this portion of Daly also discloses that a purchaser can impose different purchase allowances for different members of a family for each payment method registered in the purchaser database 16.

Claim 28 recites that a limited-use credit card number is associated with a customer account number of the user and a set of conditions defined by the user, where the customer account number is not limited to the user defined set of conditions. Accordingly, claim 28 provides that the limited-use credit card number and the customer account number are separate financial transaction instruments from each other. However, neither Column 4, lines 30-59 nor Column 6, lines 3-23 of Daly, or any other portion of Daly, disclose or suggest these features of claim 28.

In particular, Daly does not disclose or suggest that any of the personal payment methods of the purchaser are associated with another payment method. There is no disclosure or suggestion in Daly to support the Examiner's assertion that the personal payment methods of Daly are associated with a customer account number of the purchaser.

On the other hand, Daly discloses that the personal payment methods of the purchaser are those corresponding to the master accounts of the purchaser that the purchaser registers in the purchaser database 16. In other words, according to the computerized purchasing system of Daly, the purchaser uses his or her master account numbers, such as his or her credit cards, checking accounts, debit cards, Automated Clearing House (ACH) transfer accounts (see Column 5, line 47 to Column 6, line 2, and Figure 1) to conduct a transaction. Each of these master accounts are independent from one another and are not associated with each other. Daly discloses that the purchaser can impose purchase allowances for each payment method. However, the imposition of purchase allowances on a master account number does not correspond to a limited-use credit card number that is a separate financial transaction instrument from the customer account number of the user, as recited in claim 28. Furthermore, Daly does not disclose or suggest that the imposition of purchase allowances on one master account number are associated with any other of the master account numbers registered in the purchaser database 16.

(b) Issuing Operation

The disclosure of Column 4, lines 19-31 of Daly was described above in section (a). The Examiner asserted that Column 4, lines 19-31 of Daly disclose the feature of issuing the limited-use credit card number. This assertion is not supportable for the following reasons.

Daly does not disclose or suggest that a financial instrument is issued to the purchaser for use in a limited-use credit card number transaction. As described above, Daly discloses that the purchaser can self-impose purchase allowances for a personal payment method of the purchaser. However, Daly discloses that purchase allowances are imposed for personal payment methods that are registered in the purchaser database 16. Daly does not disclose or suggest that that the purchaser or a family member of the purchaser is issued any limited-use credit card number reflecting the purchase allowances imposed by the purchaser. On the contrary, Daly discloses that any purchase allowances are recorded for personal payment methods of the purchaser that are already registered in the purchaser database 16. Daly

does not disclose, suggest or even contemplate the feature of issuing any number for use in a limited-use credit card number transaction, because the numbers corresponding to the personal payment methods of the purchaser are already registered in the purchaser database 16. The Examiner appears to have failed to appreciate this marked distinction. Appellants respectfully submit that the disclosure of Daly cannot be reasonably interpreted as disclosing the feature of issuing a limited use credit card number to a user. There is no support, either explicit or implicit, in the disclosure of Daly for the Examiner's erroneous assertion that Daly somehow discloses the feature of issuing a limited use credit card number to a user.

(c) Operation of processing the transaction against the customer account number

In rejecting claim 28, the Examiner did not address this feature of claim 28. The Examiner appears to be of the belief that the personal payment methods of Daly correspond to the limited-use credit number of claim 28. If this is the Examiner's contention, then Daly cannot disclose or suggest the operation of processing the transaction against the customer account number. In particular, Daly discloses that a transaction is processed against one of the personal payments methods, which may have self- or institution-imposed spending or balance limits. However, Daly does not disclose, suggest or contemplate that any transaction for which one personal payment method is selected by the purchaser to be used is processed against another personal payment method registered by the purchaser. In particular, according to the disclosure of Daly, if the purchaser selects that personal payment method A is to be used for a transaction with a merchant, personal payment method A is charged or debited. The transaction has no relationship whatsoever to personal payment methods B, C, D, etc. that are also registered by the purchaser.

Accordingly, in Daly, only the purchaser's selected payment method is processed against a transaction in view of any self- or institution-imposed purchase allowances. Daly does not disclose, suggest or contemplate the feature of using a personal payment method that is different from the personal payment selected by the purchaser to conduct a transaction with a merchant. Daly does not disclose or

suggest the feature of conducting a transaction with a limited-use credit card number that is different from the personal payment method selected by the purchaser.

At best, Daly discloses that a transaction requested by the purchaser is processed against one account of the purchaser. If the personal payment method of Daly is believed to correspond to the limited-use credit card number as recited in claim 28, then Daly does not disclose or suggest that a transaction is processed against the customer account number which is associated with the limited-use credit number, as recited in claim 28. On the other hand, if the personal payment method of Daly is believed to correspond to the customer account number of claim 28, then Daly does not disclose or suggest that a transaction is processed against the limited-use credit card number associated with a customer account number, as recited in claim 28.

(d) Authorizing Operation

The Examiner alleged that Column 4, lines 39-59 and Column 13, lines 35-45 of Daly disclose the feature of authorizing or not authorizing the transaction based on a result of the processing of both the limited-use credit card number and the customer account number in the computer system, as recited in claim 28. This assertion is not supportable.

As discussed above, Daly discloses, at best, that a transaction is processed against one personal payment method of Daly. Daly, however, does not disclose, suggest or contemplate that any of the personal payment methods are associated with another personal payment method. Furthermore, Daly does not disclose or suggest that a transaction is authorized or not authorized based on a result of the processing of both the limited-use credit card number and the customer account number, as recited in claim 28. It is not possible to map the disclosure of Daly, which processes payment against a single account selected by the purchaser, against two or more accounts. Therefore, the Examiner's reliance on Daly is not supportable and reversible.

Accordingly, for at least the foregoing reasons, Appellants respectfully submit that Daly does not disclose or suggest the associating, issuing, processing and authorizing operations as recited in claim 28.

As described above, the Examiner acknowledged that Daly does not disclose or suggest the feature of a limited-use credit card number constituting a different number than a customer account number of a user and functioning as an authorized substitute for the customer account number. In an attempt to teach this feature, the Examiner applied Hanson. However, the Examiner's reliance on Hanson is misplaced, because Hanson does not disclose or suggest the feature of a limited-use credit card number, as recited in claim 28.

#### **4. Disclosure of Hanson**

Hanson discloses a system for real-time bundled telecommunications account processing and billing from a single account balance. A user has a single account against which charges for making telephone calls are debited. The account is prepaid by the user, and any telephone charges are debited from the prepaid amount. Column 4, lines 10-30 disclose that cash, bank drafts, credit cards and telephone company billing may be used to replenish the user's real-time bundled account at any customer interface facility 62 (see Figure 2). Hanson discloses that the user has a deposit card that includes the user's name, the user's account number and optional personal information. At the customer interface facility 62, the user may swipe a credit card to replenish the user's account which is debited for any telephone charges in the system. If the user replenishes his account by charging his credit card, the amount is posted to the user's account to reflect the new balance. Alternatively, the user may dial a pre-assigned code with a wireless telephone to replenish his account with a credit card.

Accordingly, Hanson discloses that a user has a debit card that includes a pre-paid amount for paying for telephone charges, and the user may replenish the account by using a credit card or debit card.

The Examiner asserted that Hanson discloses the feature of a limited-use credit card number constituting a different number than a customer account number of a user and functioning as an authorized substitute for the customer account number of the user, as recited in claim 28. This assertion is not supportable.

First, the single pre-paid account of Hanson does not function as an authorized substitute for the user's credit card in a transaction to make a telephone

call. On the contrary, the pre-paid account of Hanson is the only form of payment that the user can utilize to make a telephone call. Hanson also does not disclose or suggest that the single pre-paid account is a limited-use credit card number. On the contrary, Hanson merely discloses that the account is an account number for use with paying for telephone charges in the system of Hanson. Hanson does not disclose or suggest that the pre-paid account resembles a credit card number or functions as a credit card number that can be used in a transaction.

Second, similar to Daly, the single pre-paid account of Hanson is not associated with the credit card of the user and a set of conditions defined by the user in a computer system. The credit card is merely used to replenish the pre-paid balance of the user's account number. The underlying premise behind asserting that a pre-paid account is a limited-use credit card number functioning as an authorized substitute for a customer account number is illustrative of the Examiner's misinterpretation and misapplication of the references. For instance, the pre-paid account of Daly is not associated with the user's account number after the pre-paid account is replenished, because telephone charges are accrued against the pre-paid account. Therefore, for purposes of conducting, authorizing and settling transactions for telephone surfaces, there is no relationship or association whatsoever between the user's customer account number and the pre-paid account.

Third, similar to Daly, Hanson does not disclose or suggest that a transaction for a telephone call is (1) processed in accordance with a set of conditions associated with the account number, and (2) processed against the user's credit card. On the contrary, any telephone charges are merely debited from the user's pre-paid account balance.

Fourth, similar to Daly, Hanson does not disclose or suggest that a transaction for a telephone call is authorized based on a result of processing of both the pre-paid account and the processing of the user's credit card. On the contrary, any telephone charges are merely debited from the user's pre-paid account balance, without regard to the user's credit card number.

Accordingly, Appellants respectfully submit that Hanson does not cure the deficiencies of Daly for failing to disclose or suggest all the recited features of claim 28. In particular, the combination of Daly and Hanson fails to disclose or suggest the

allocating, associating, issuing, processing and authorizing operations as recited in claim 28.

Therefore, no obvious combination of Daly and Hanson would result in the subject matter of claim 28, since Daly and Hanson, either individually or in combination, fail to disclose or suggest all the recited features of claim 28.

Accordingly, for at least the foregoing reasons, Appellants respectfully submit that claim 28 is patentable over Daly and Hanson.

### **B. Dependent Claims**

Dependent claims 29-61 are patentable over Daly and Hanson by virtue of depending from patentable claim 28.

It is noted that in rejecting dependent claims 29-36, 38-50, 53-58 and 61, the Examiner referenced verbatim the same four portions of Daly: Column 4, lines 19-31 and 39-59; Column 5, lines 47-67; Column 6, lines 4-35; and Column 8, lines 13-20. The actual disclosure of each of these portions of Daly has been discussed above.

Furthermore, Appellants respectfully submit that dependent claims 29-61 recite further distinguishing features over Daly and Hanson.

For example, claim 29 recites allocating in the computer system additional limited-use credit card numbers upon a customer request and/or an event trigger. Daly does not disclose or suggest this feature. On the contrary, Daly discloses that customer or institution-imposed allowances can be respectively associated with personal payment methods that are already registered in the purchaser database 16. Daly does not disclose or suggest that additional limited-use credit card numbers are associated with any of the personal payment methods already registered in the purchaser database 16. Hanson also does not disclose or suggest the features of claim 29.

Claim 31 recites, in part, that the limited-use credit card number is deactivated based on the limited-used event and/or the set of conditions associated with the limited-use credit card number. Daly does not disclose or suggest that a personal payment method is deactivated. On the contrary, Daly discloses that a transaction can be prevented if the transaction exceeds imposed allowances. Similarly, Hanson discloses that a telephone call can be denied if the user does not have a sufficient

balance on the user's pre-paid account. However, declining a transaction does not constitute deactivating a limited-use credit card number.

Claim 32, which depends from claim 31, recites that another limited-use credit card number is assigned in the computer system in response to deactivating the limited-use credit card number. As discussed above, neither Daly nor Hanson disclose or suggest the feature of deactivating a limited-use credit card number. Furthermore, neither Daly nor Hanson disclose or suggest that another limited-use credit card number is assigned in response to deactivating the limited-use credit card number, and the other limited-use credit card number is associated with the customer account number, as recited in claim 32.

Claims 34 and 35 recite that the limited-use credit card number is downloaded to the user. Daly and Hanson do not disclose or suggest this feature. Daly discloses that the purchaser registers one or more personal payment numbers in the purchaser database 16. The personal payment numbers are not downloaded to the purchaser. On the contrary, the purchaser uploads his or her personal payment methods into the purchaser database 16.

Claims 51 recites dispensing a credit card containing the limited-use credit card number. Daly and Hanson do not disclose or suggest this feature. Daly does not dispense any credit card number to the purchaser. On the contrary, the purchaser registers pre-existing personal payment methods in the purchaser database 16. Similarly, Hanson does not disclose or suggest that a limited-use credit card number is dispensed to the user.

Claims 52-56 recite further distinguishing features of dispensing a limited-use credit card number. In rejecting claim 52, the Examiner asserted that card dispensing is well known in the art. Appellants are not claiming the novelty of dispensing a card. Appellants are claiming the feature of dispensing the inventive limited-use credit card number, which constitutes a different number than a customer account number of a user, functions as an authorized substitute for the account number, and is associated with the customer account number and a set of user-defined conditions in a computer system. Neither Daly nor Hanson discloses these features of claims 52-56.

Claim 60 recites that the allocating of the limited-use credit card number comprises randomly selecting the limited-use credit card number from a plurality of available limited-use credit card numbers. The Examiner did not address the features of claim 60 in the Examiner Action. In any event, neither Daly nor Hanson disclose or suggest that the limited-use credit card number, as recited in claim 28, is allocated by randomly selecting the limited-use credit card number from a plurality of available limited-use credit card numbers.

Accordingly, for at least the foregoing reasons, Appellants respectfully submit that Daly and Hanson, either individually or in combination, do not disclose or suggest all the recited features of claim 28, as well as claims 29-61 which depend therefrom.

**VIII. Claims Appendix**

See attached Claims Appendix for a copy of the claims involved in the appeal.

**IX. Evidence Appendix**

No exhibits provided with this Appeal.

**X. Related Proceedings Appendix**

No related proceedings are associated with this Appeal.

**XI. Conclusion**

Appellants have pointed out numerous errors in the rejections of the claims. Appellants respectfully request that the final rejection of claims 29-61 be reversed and that the application be returned to the Examiner for prompt allowance.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date March 3, 2009

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## VIII. CLAIMS APPENDIX

### **The Appealed Claims**

28. A method for implementing a limited-use credit card system, the method comprising:

allocating in a computer system a limited-use credit card number constituting a different number than a customer account number of a user and functioning as an authorized substitute for the customer account number;

associating in the computer system the limited-use credit card number with the customer account number and a set of conditions defined by the user, wherein the customer account number is not limited to said user defined set of conditions;

issuing the limited-use credit card number;

detecting in the computer system a transaction using the limited-use credit card number;

processing in the computer system the transaction in accordance with the set of conditions associated with limited-use credit card number;

processing in the computer system the transaction against the customer account number; and

authorizing or not authorizing the transaction based on a result of said processing of both the limited-use credit card number and the customer account number in the computer system.

29. The method of claim 28 further comprising:

allocating in the computer system additional limited-use credit card numbers upon a customer request and/or an event trigger.

30. The method of claim 29 wherein the event trigger is the use of more than a preset amount of limited-use credit card numbers.

31. The method of claim 28 wherein the processing of the transaction comprises:

authorizing or not authorizing the transaction by comparing in the computer system the transaction to the set of conditions associated with the limited-use credit card number;

determining in the computer system whether a limited-use event has occurred; and

deactivating in the computer system the limited-use credit card number based on the limited-use event and/or the set of conditions associated with the limited-use credit card number.

32. The method of claim 31 further comprising:

assigning in the computer system another limited-use credit card number in response to deactivating the limited-use credit card number; and

associating in the computer system said other limited-use credit card number with the customer account number.

33. The method of claim 28 further comprising:

maintaining in the computer system a queue of available limited-use credit card numbers; and

assigning in the computer system the limited-use credit card number from the queue.

34. The method of claim 28, wherein the issuing of the limited-use credit card number comprises:

downloading in the computer system the limited-use credit card number to a user.

35. The method of claim 34, wherein the limited-use credit card number is encrypted prior to downloading.

36. The method of claim 28, wherein the issuing of the limited-use credit card number comprises:

mailing the limited-use credit card number to a user.

37. The method of claim 28, further comprising:

notifying a user about parameters of the limited-use credit card system.

38. The method of claim 37, wherein the user is notified via e-mail.

39. The method of claim 37, wherein the parameters of the limited-use credit card system comprise records in the computer system of limited-use and other card transactions.

40. The method of claim 37, wherein the parameters of the limited-use credit card system comprise use in the computer system of the limited-use credit card number in a credit card transaction.

41. The method of claim 37, wherein the parameters of the limited-use credit card system comprise a number of the limited-use credit card number available to the user.

42. The method of claim 28, wherein the set of conditions are defined by a user of the limited-use credit card.

43. The method of claim 42, wherein the set of conditions limits the use of the limited-use credit card number to a pre-defined user limit.

44. The method of claim 42, wherein the set of conditions limits the use of the limited-use credit card number to a particular merchant.

45. The method of claim 44, wherein the particular merchant is selected from a predetermined list of merchants and/or category of merchants.

46. The method of claim 44, wherein the particular merchant is prearranged by the user.

47. The method of claim 42, wherein the set of conditions limits the use of the limited-use credit card number to a single transaction for a maximum transaction value for a single purpose.

48. The method of claim 42, wherein the set of conditions limits the use of the limited-use credit card number to a set number of transactions for a maximum transaction value within a set time.

49. The method of claim 42, wherein the set of conditions limits the use of the limited-use credit card number to a single purpose.

50. The method of claim 42, wherein the set of conditions comprise at least one condition selected from the group consisting of transaction value conditions, time of transaction conditions, number of transaction conditions, frequency of transaction conditions, purpose of transaction conditions, merchant type conditions, and geographical conditions.

51. The method of claim 28, further comprising:  
dispensing a credit card containing the limited-use credit card number.

52. The method of claim 51, wherein an automated teller machine dispenses the credit card.

53. The method of claim 51, wherein the dispensing of the credit card comprises:  
printing out an indication of the limited-use credit card number for delivery to the user.

54. The method of claim 28, further comprising:

dispensing the limited-use credit card number to a user via a telecommunications system.

55. The method of claim 54, wherein the telecommunications system comprises a pager.

56. The method of claim 54, wherein the telecommunications system comprises a mobile phone.

57. The method of claim 28, further comprising:  
initiating the transaction in the computer system using the limited-use credit card number via a telecommunications system.

58. The method of claim 57, wherein the telecommunications system comprises a pager.

59. The method of claim 57, wherein the telecommunications system comprises a mobile phone.

60. The method of claim 28, wherein the allocating of the limited-use credit card number comprises randomly selecting the limited-use credit card number from a plurality of available limited-use credit card numbers.

61. The method of claim 29, wherein each of the additional limited-use credit card numbers is respectively unique to each other and unique to the allocated limited-use credit card number.

## **IX. EVIDENCE APPENDIX**

None

## **X. RELATED PROCEEDINGS APPENDIX**

None